

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

WESTCHESTER FIRE INSURANCE COMPANY)
a Pennsylvania corporation, ACE AMERICAN,)
INSURANCE COMPANY, a Pennsylvania)
Corporation,)
Plaintiffs,)
vs.)
WHITING CORPORATION, a Delaware)
Corporation, and DARRIN HALL, individually)
and on behalf of all others similarly situated,)
Defendants.)

Civil Action No.: 1:22-cv-3399

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL OF
DARRIN HALL WITHOUT PREJUDICE**

Plaintiffs, Westchester Fire Insurance Company (“Westchester”) and ACE American Insurance Company (“ACE”) (“Plaintiffs”), by their counsel of record, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), voluntary dismiss Darrin Hall (“Hall”) from this action, without prejudice, and in support state as follows:

1. On June 29, 2022, Plaintiffs filed the instant declaratory judgment action seeking a declaration that they have no duty to defend or indemnify Whiting Corporation (“Whiting”) under the Policies in connection with an underlying putative class action suit filed by Hall against Whiting.

2. Mr. Hall is named in this action as a nominal but necessary party defendant so that he is bound by the judgment rendered in this action. Plaintiffs seek no affirmative relief against Hall or the others similarly situated that he purports to represent.

3. Mr. Hall has not filed an appearance or answer in this action, nor has he asserted any counterclaim against Plaintiffs.

4. Mr. Hall, individually and on behalf of all others similarly situated, has agreed and stipulated to be bound by any judgment rendered or made in this action or on appeal. *See*, Dkt. 13.

5. Pursuant to the Stipulation and Agreement to be Bound, Plaintiffs now dismiss Mr. Hall from this action, without prejudice.

WHEREFORE, Plaintiffs Westchester Fire Insurance Company and ACE American Insurance Company hereby dismiss Darrin Hall from this lawsuit, without prejudice, with each party to bear it or his own costs, and request this Court enter an Order with respect to the same.

Respectfully submitted,

Westchester Fire Insurance Company and ACE
American Insurance Company

By: /s/ Kelly M. Ognibene
One of their Attorneys

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